

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH MARTIN BAILIE,

Defendant.

Case No. 3:96-cr-00001-HDM

ORDER

Proceedings on defendant Joseph Bailie's 28 U.S.C. § 2255 motion have been stayed pending the Ninth Circuit's decision in *United States v. Begay*, No. 14-10080, which is itself administratively closed pending decisions in the Supreme Court and the Ninth Circuit that will address whether a crime of violence may be committed with a mens rea of recklessness. On April 12, 2020, in part due to the ongoing COVID-19 epidemic, Bailie asked the court to lift the stay and for expedited consideration of his § 2255 motion. (ECF No. 199).

Following Bailie's release from custody pursuant to the court's order granting him compassionate release, Bailie on October 9, 2020, filed a report indicating that he no longer seeks expedited consideration of his § 2255 motion and instead requests that the stay of these proceedings be continued. (ECF No. 229). Bailie additionally seeks leave to amend his § 2255 motion to remove Claims Two and Three from consideration.

Accordingly, IT IS HEREBY ORDERED that Bailie's motion to lift stay (ECF No. 199) is DENIED.

IT IS SO ORDERED.

Howard D McKibben